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SEP 28 2007

SMITH HOPEN

INTELLECTUAL PROPERTY LAW

180 Pine Avenue North, Oldsmar FL 34677
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FAX INTELLECTUAL PROPERTY LAW

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|--------|--------------------------------|---------|------------------------|
| To: | U.S. Patent & Trademark Office | From: | Ronald E. Smith |
| Attn: | Mark Spisich - Art Unit 1744 | Client: | 1098.56 |
| Fax: | (571)273-8300 | Pages: | 4 including coversheet |
| Phone: | (571)272-1278 | Date: | September 28, 2007 |
| Re: | USSN 10/711077 | CC: | Dr. Aldo Laghi |

Urgent For Review Please Comment Please Reply Please Recycle

Dear Examiner Forman:

In response to the non-final office action mailed August 31, 2007, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated September 30, 2007 (1 page); and
- 2) Response to Election/Restriction Requirement with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated September 30, 2007 (2 pages).

Very respectfully,

Ronald E. Smith
Reg. No. 28,761

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SEP 28 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/711,077 Confirmation No.:9465
 Applicant: : Aldo A. Laghi
 Filed: : 08/20/2004
 Art Unit : 1744
 Examiner : Mark Spisich

Docket No. : 1098.56
 Customer No. : 21,901
 For : Shaving Cream Applicator

Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

- Transmitted herewith is a Response to Election/Restriction Requirement for this application.

STATUS

- Applicant is independent inventor.

EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.
 Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.


SIGNATURE OF PRACTITIONER
 Ronald E. Smith
 Smith & Hopen, P.A.
 180 Pine Avenue North
 Oldsmar, FL 34677
 (813) 925-8505

Reg. No.: 28,761
 Customer No.: 21,901

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1634, Attn: Mark Spisich, (571) 273-8300 on September 28, 2007.

Dated: September 28, 2007


 Muriel Ortiz

(Amendment Transmittal—page 1)

SEP 28 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------------|---|--------------------------|------------------------|
| Application No. | : | 10/711,077 | Confirmation No.: 9465 |
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| Filed: | : | 08/20/2004 | |
| Art Unit | : | 1744 | |
| Examiner | : | Mark Spisich | |
| Docket No. | : | 1098.56 | |
| Customer No. | : | 21,901 | |
| For | : | Shaving Cream Applicator | |

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

In response to the nonfinal Examiner's Action mailed August 31, 2007, having a shortened statutory period for response set to expire September 30, 2007, the above-identified patent application is amended a first time as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant elects to prosecute the claims directed to Species Group I, Figures 1A-1C. The claims readable thereon are claims 1 and 8.

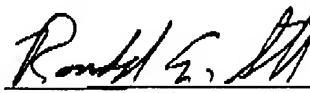
REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (813) 925-8505 is requested.

Very respectfully,

SMITH & HOPEN

By:


Ronald E. Smith
180 Pine Avenue North
Oldsmar, FL 34677
(813) 925-8505
Attorney for Applicant

Dated: September 28, 2007

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CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this response is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 2852, Attn: Betty J. Forman, (571) 273-8300 on September 28, 2007.

Dated: September 28, 2007

Muriel Ortiz
Muriel Ortiz